

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN KARL WAITSCHIES**, on February 12, 2003  
at 3 A.M., in Room 472 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Karl Waitschies, Chairman (R)  
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Joe Balyeat (R)  
Rep. Bob Bergren (D)  
Rep. Ronald Devlin (R)  
Rep. George Golie (D)  
Rep. Jim Keane (D)  
Rep. Bernie Olson (R)  
Rep. Allen Rome (R)  
Rep. Frank Smith (D)  
Rep. Donald Steinbeisser (R)  
Rep. Bill Wilson (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Leanne Kurtz, Legislative Branch  
Pati O'Reilly, Committee Secretary

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 549, HB 502, HB 538, 2/7/2003  
Executive Action: None

**HEARING ON HB 549**

**Sponsor:** REPRESENTATIVE SUE DICKENSON, HD 47

**Opening Statement by Sponsor:**

REP. DICKENSON introduced HB 549. This bill will increase the cost for collegiate plates from \$20 to \$30.

*{Tape: 1; Side: A; Approx. Time Counter: 0 - 5}*

**Proponents' Testimony:**

Stephanie Graves, University of Montana student, supported the bill.

*{Tape: 1; Side: A; Approx. Time Counter: 5 - 5.9}*

Bill Johnston, Montana University System, supported the bill.

*{Tape: 1; Side: A; Approx. Time Counter: 5.9 - 6.3}*

**Opponents' Testimony:** None

**Informational Testimony:**

Dean Roberts, Administrator of Motor Division, Montana Department of Transportation, offered to answer any questions the committee may have.

*{Tape: 1; Side: A; Approx. Time Counter: 6.3 - 6.8}*

**Questions from Committee Members and Responses:**

REP. BALYEAT questioned Bill Johnston about the availability of scholarships.

*{Tape: 1; Side: A; Approx. Time Counter: 6.8 - 8.9}*

**Closing by Sponsor:**

REP. DICKENSON closed HB 549 with a summary of the testimony and cited the need for scholarship funds.

*{Tape: 1; Side: A; Approx. Time Counter: 8.9 - 11.4}*

HEARING ON HB 502

**Sponsor:** REPRESENTATIVE HOLLY RASER, HD 47

**Opening Statement by Sponsor:**

REP. RASER introduced HB 502 as an economic development bill. The bill mandates that diesel sold in Montana be bio-diesel that is made from products grown in Montana.

**EXHIBIT**(trh31a01)

**EXHIBIT**(trh31a02)

**EXHIBIT**(trh31a03)

*{Tape: 1; Side: A; Approx. Time Counter: 11.4 - 20.7}*

**Proponents' Testimony:**

Paul Miller, Sustainable Fuels of Missoula, gave a 'power point presentation.'

**EXHIBIT**(trh31a04)

*{Tape: 1; Side: A; Approx. Time Counter: 20.7 - 27.9}*

Van Jamison, retired state employee, who gave the history of bio-fuels.

*{Tape: 1; Side: A; Approx. Time Counter: 27.9 - 30}*

*{Tape: 1; Side: B; Approx. Time Counter: 0 - 7.3}*

Mark Lindberg, Governor's Office, expressed the support of Governor Martz.

*{Tape: 1; Side: B; Approx. Time Counter: 7.3 - 7.5}*

Tyler Duncan, Director of Montana Cooperative Development Center, presented written testimony in support of the bill.

**EXHIBIT**(trh31a05)

*{Tape: 1; Side: B; Approx. Time Counter: 7.5 - 8.3}*

Barbara Broberg, WIFE, supports this legislation and cited the need for Montana Ag Producers to have a market.

*{Tape: 1; Side: B; Approx. Time Counter: 8.3 - 8.7}*

**Steve Simonson, Sanders County ag producer**, presented written testimony in support of the bill.

**EXHIBIT**(trh31a06)

*{Tape: 1; Side: B; Approx. Time Counter: 8.7 - 11.6}*

**Mark Peterson, Havre farmer**, supported the bill.

*{Tape: 1; Side: B; Approx. Time Counter: 11.6 - 13.1}*

**Chris Christens, Montana Farmers' Union**, presented written testimony in support of the bill.

**EXHIBIT**(trh31a07)

*{Tape: 1; Side: B; Approx. Time Counter: 13.1 - 13.9}*

**John Youngberg, Montana Farm Bureau**, supported the bill.

*{Tape: 1; Side: B; Approx. Time Counter: 13.9 - 15.7}*

**Opponents' Testimony:**

**Gail Abercrombie, Montana Oil and Gas Association**, presented several charts and brochures that supported the opposition to this bill. One of the main objections is the mandate.

**EXHIBIT**(trh31a08)

**EXHIBIT**(trh31a09)

*{Tape: 1; Side: B; Approx. Time Counter: 15.7 - 19.7}*

**Ronda Carpenter, Montana Petroleum Marketers and Convenience Stores**, opposed the bill because of the mandate, the problems with storage and the cost.

*{Tape: 1; Side: B; Approx. Time Counter: 19.7 - 23.5}*

**Barry Stang, Montana Motor Carriers**, presented written testimony in opposition to the bill.

**EXHIBIT**(trh31a10)

*{Tape: 1; Side: B; Approx. Time Counter: 23.5 - 30}*

**Keith Olsen, logger**, opposed the bill.

*{Tape: 2; Side: A; Approx. Time Counter: 0 - 4.2}*

Dave Galt, Director, Montana Department of Transportation, opposed the bill.

*{Tape: 2; Side: A; Approx. Time Counter: 4.2 - 5.5}*

Dennis Iverson, Montana Contractors Association, opposed the bill due to the increased costs of fuel.

*{Tape: 2; Side: A; Approx. Time Counter: 5.5 - 6.6}*

Informational Testimony:

Pat Keim, Burlington Northern Sante Fe, explained the reason why railroad need to be exempt. Handed in a letter from Association of Railroads.

**EXHIBIT**(trh31a11)

*{Tape: 2; Side: A; Approx. Time Counter: 6.6 - 14.4}*

Jack Kane, Montana Weights and Measures, expressed concern about regulating the fuel.

*{Tape: 2; Side: A; Approx. Time Counter: 14.4 - 14.8}*

Mike Halligan, Montana Rail Link and Montana Resources, opposed the bill because of cost and cited the need for railroads to be exempt.

*{Tape: 2; Side: A; Approx. Time Counter: 14.8 - 16.2}*

Questions from Committee Members and Responses:

REPS. DEVLIN, GOLIE, KEANE, OLSEN and WAITSCHIES questioned the witness about the quality of this mix, the emissions, the cost and the wear and tear on the motors.

*{Tape: 2; Side: A; Approx. Time Counter: 16.2 - 30}*

*{Tape: 2; Side: B; Approx. Time Counter: 0 - 10.5}*

Closing by Sponsor:

REP. RASER closed with a request to pass this bill and a summary citing the economic value this bill has for Montana agriculture.

*{Tape: 2; Side: B; Approx. Time Counter: 10.5 - 15.7}*

**HEARING ON HB 538**

**Sponsor:** REPRESENTATIVE ALLEN ROME, HD 56

**Opening Statement by Sponsor:**

REP. ROME introduced HB 538. This bill is requested by the Department of Justice.

*{Tape: 2; Side: B; Approx. Time Counter: 15.7 - 17}*

**Proponents' Testimony:**

Dean Roberts, Administrator of Motor Vehicle Division. HB 577 passed in the 2001 session mandated our Department to evaluate the titling process. Current statute needs some clean up in order to use electronic transactions. We decided to revise the general title section at the same time.

*{Tape: 2; Side: B; Approx. Time Counter: 17 - 21}*

Brenda Nordlund, Counsel, Montana Department of Justice. She explained the changes the bill was addressing.

EXHIBIT(trh31a12)

EXHIBIT(trh31a13)

*{Tape: 2; Side: B; Approx. Time Counter: 21 - 30}*

Steve Turkowitz, Montana Auto Dealers' Association, supported this bill.

*{Tape: 3; Side: A; Approx. Time Counter: 0 - 1.8}*

Ronda Carpenter, Montana County Treasurers' Association, supported the bill.

*{Tape: 3; Side: A; Approx. Time Counter: 1.8 - 3.6}*

Bob Pfifer, Montana Credit Union Network, supports this legislation.

*{Tape: 3; Side: A; Approx. Time Counter: 3.6 - 4.2}*

Bill Gowan, Montana Title Association, supported the bill.

*{Tape: 3; Side: A; Approx. Time Counter: 4.2 - 5.9}*

**Stuart Doggett, Montana Manufactured Housing and RV Dealers' Association,** supports this bill.

*{Tape: 3; Side: A; Approx. Time Counter: 5.9 - 6.6}*

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

**REPS. GALLIK, BOOKOUT-REINICKE, DEVLIN, KEENE, SMITH and GOLIE** questioned the witnesses.

*{Tape: 3; Side: A; Approx. Time Counter: 6.6 - 26.2}*

Closing by Sponsor:

**REP. ROME** closed by asking for a do pass.

**ADJOURNMENT**

Adjournment: 6:20 P.M.

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REP. KARL WAITSCHIES, Chairman

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PATI O'REILLY, Secretary

KW/PO

**EXHIBIT**(trh31aad)